

FILED
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CLERK SUPREME COURT

Order

The Act requires minimal judicial oversight and eliminates the need for obtaining a commission or local counsel in the discovery state, letters rogatory, or the filing of a miscellaneous action during the discovery phase of litigation. Discovery authorized by the subpoena is to comply with the rules of [the] state in which it occurs. Furthermore, motions to quash, enforce, or modify a subpoena issued pursuant to the Act shall be brought in and governed by the rules [of] the discovery state.

According to the Commission, 19 states have adopted the Act either by court rule or statutory enactment.

The Iowa Supreme Court Advisory Committee on Rules of Civil Procedure recommends adoption of the substance of the Act with some modifications reflecting Iowa's subpoena process that authorizes an attorney licensed to practice law in Iowa to issue a subpoena.

The supreme court seeks public comment on the proposed amendments prior to taking further action on them. The proposed amendments can be found at [www.iowacourts.gov/ Supreme_Court/Orders/](http://www.iowacourts.gov/Supreme_Court/Orders/). In addition, copies are available at the office of the Clerk of the Iowa Supreme Court.

Any interested organization, agency, or person may submit written comments. Comments about a proposed rule must refer to the specific rule number (for example, Rule 9.3(2)) and the specific numbered line or lines to which the comments are directed. Comments sent by email must be e-mailed to **rules.comments@iowacourts.gov**, must state "**civil rules**" in the subject line of the e-mail, and must be sent **as an attachment to the e-mail in Microsoft Word format**. Instead of submission by email, comments may be delivered in person or mailed to the Clerk of the Supreme Court, 1111 East Court Avenue, Des Moines, Iowa, 50319. **The deadline for submitting comments is 4:30 p.m. on January 31, 2012.**

Dated this 2nd day of December, 2011.

THE SUPREME COURT OF IOWA

By Mark S. Cady
Mark S. Cady, Chief Justice